

U.S. District Court
Western District of Missouri (St. Joseph)
CIVIL DOCKET FOR CASE #: 5:18-cv-06129-ODS

Jordan v. U.S. Department of Labor
Assigned to: District Judge Ortrie D. Smith
Cause: 05:552 Freedom of Information Act

Date Filed: 08/29/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Jack Jordan**

represented by **Jack Jordan**
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816-746-1955
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PRO SE

V.

Defendant**U.S. Department of Labor**

represented by **Jeffrey P. Ray**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/29/2018	<u>1</u>	COMPLAINT against U.S. Department of Labor Jack Jordan. Filing fee \$400, receipt number KCMO072576. Service due by 11/27/2018 unless otherwise directed by the court. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4)(Woods, Gloria) (Entered: 08/29/2018)
08/29/2018	<u>2</u>	NOTICE OF INCLUSION FOR MEDIATION AND ASSESSMENT PROGRAM (MAP). REVIEW NOTICE AND MAP GENERAL ORDER CAREFULLY FOR IMPORTANT CHANGES, DEADLINES AND REQUIREMENTS. Notice of MAP assignment to Program Director mailed to Plaintiff via USPS. (Attachments: # <u>1</u> MAP General Order)(Woods, Gloria) (Entered: 08/29/2018)
10/03/2018	<u>3</u>	RETURN OF SERVICE of complaint executed by Jack Jordan. U.S. Department of Labor served on 8/31/2018, answer due 10/1/2018. (Attachments: # <u>1</u> Exhibit Return Receipt US Attorney)(Jordan, Jack) (Entered: 10/03/2018)
10/03/2018	<u>4</u>	RETURN OF SERVICE of complaint executed by Jack Jordan. (Attachments: # <u>1</u> Exhibit Return Receipt US Attorney General)(Jordan, Jack) (Entered: 10/03/2018)
10/03/2018	<u>5</u>	Return of Service unexecuted by Jack Jordan as to U.S. Department of Labor. (Attachments: # <u>1</u> Affidavit Declaration re Service on US Dept of Labor)(Jordan, Jack) Modified on 10/3/2018 to reflect Defendant's deadline to file answer or responsive pleading is October 1, 2018, pursuant to 5U.S.C. §552(a)(4)(C) (2000). Modified on 10/3/2018 (Matthes Mitra, Renea). (NEF regenerated.) (Entered: 10/03/2018)

10/10/2018	<u>6</u>	MOTION for partial summary judgment filed by Jack Jordan. Suggestions in opposition/response due by 10/31/2018 unless otherwise directed by the court. (Attachments: # <u>1</u> Statement of Facts & Supporting Suggestions, # <u>2</u> Declaration of Jack Jordan)(Jordan, Jack) (Entered: 10/10/2018)
10/12/2018	<u>7</u>	MOTION for extension of time to file answer re <u>1</u> Complaint, filed by Jeffrey P. Ray on behalf of U.S. Department of Labor. Suggestions in opposition/response due by 10/26/2018 unless otherwise directed by the court. (Related document(s) <u>1</u>) (Attorney Jeffrey P. Ray added to party U.S. Department of Labor(pty:dft))(Ray, Jeffrey) (Entered: 10/12/2018)
10/14/2018	<u>8</u>	SUGGESTIONS in opposition re <u>7</u> MOTION for extension of time to file answer re <u>1</u> Complaint, on behalf of Plaintiff Jack Jordan. Reply suggestions due by 10/29/2018 unless otherwise directed by the court. (Attachments: # <u>1</u> Declaration of Jack Jordan 10/14/2018)(Related document(s) <u>7</u>) (Jordan, Jack) (Entered: 10/14/2018)
10/15/2018	<u>9</u>	REPLY SUGGESTIONS to motion re <u>7</u> MOTION for extension of time to file answer re <u>1</u> Complaint, filed by Jeffrey P. Ray on behalf of Defendant U.S. Department of Labor. (Related document(s) <u>7</u>) (Ray, Jeffrey) (Entered: 10/15/2018)
10/19/2018	<u>10</u>	RULE 16 NOTICE – Rule 26 conference due by 12/3/2018. Proposed scheduling order due by 12/17/2018. Signed on 10/19/18 by District Judge Ortrie D. Smith. (O'Connor, Stacy) (Entered: 10/19/2018)
10/19/2018	<u>11</u>	RULE 502(d) ORDER – Signed on 10/19/18 by District Judge Ortrie D. Smith. (O'Connor, Stacy) (Entered: 10/19/2018)
10/23/2018	<u>12</u>	ORDER granting <u>7</u> Defendant U.S. Department of Labor's Motion for Enlargement of Time to Answer. Defendant U.S. Department of Labor shall file its answer or otherwise respond to Plaintiff's Complaint by no later than 10/26/2018. Signed on 10/23/2018 by District Judge Ortrie D. Smith. (Kitsmiller, Julia) (Entered: 10/23/2018)
10/26/2018	<u>13</u>	MOTION to dismiss case <i>partially</i> filed by Jeffrey P. Ray on behalf of U.S. Department of Labor. Suggestions in opposition/response due by 11/9/2018 unless otherwise directed by the court. (Ray, Jeffrey) (Entered: 10/26/2018)
10/26/2018	<u>14</u>	<i>Department of Labor's</i> ANSWER to <u>1</u> Complaint, on behalf of U.S. Department of Labor.(Ray, Jeffrey) (Entered: 10/26/2018)
10/26/2018	<u>15</u>	MOTION for extension of time to file response reply as to <u>6</u> MOTION for partial summary judgment filed by Jeffrey P. Ray on behalf of U.S. Department of Labor. Suggestions in opposition/response due by 11/9/2018 unless otherwise directed by the court. (Related document(s) <u>6</u>) (Ray, Jeffrey) (Entered: 10/26/2018)
10/28/2018	<u>16</u>	SUGGESTIONS in opposition re <u>13</u> MOTION to dismiss case <i>partially</i> on behalf of Plaintiff Jack Jordan. Reply suggestions due by 11/13/2018 unless otherwise directed by the court. (Related document(s) <u>13</u>) (Jordan, Jack) (Entered: 10/28/2018)
10/30/2018	<u>17</u>	SUGGESTIONS in opposition re <u>15</u> MOTION for extension of time to file response reply as to <u>6</u> MOTION for partial summary judgment on behalf of Plaintiff Jack Jordan. Reply suggestions due by 11/13/2018 unless otherwise directed by the court. (Related document(s) <u>15</u>) (Jordan, Jack) (Entered: 10/30/2018)
11/09/2018	<u>18</u>	MOTION for extension of time to file response(reply as to <u>13</u> MOTION to dismiss case <i>partially</i> , <u>15</u> MOTION for extension of time to file response(reply as to <u>6</u> MOTION for partial summary judgment filed by Jeffrey P. Ray on behalf of U.S. Department of Labor. Suggestions in opposition/response due by 11/23/2018 unless otherwise directed by the court. (Related document(s) <u>13</u> , <u>15</u>) (Ray, Jeffrey) (Entered: 11/09/2018)
11/10/2018	<u>19</u>	ORDER granting <u>18</u> Defendant's unopposed motion for extension of time to file reply re <u>15</u> MOTION for extension of time to file response as to <u>6</u> MOTION for partial summary judgment, and reply re <u>13</u> MOTION to dismiss case partially. Reply suggestions to both motions shall be filed by no later than 11/16/2018 unless otherwise directed by the court. Signed on 11/10/2018 by District Judge Ortrie D. Smith. This is a TEXT ONLY ENTRY. No document is attached. (Kitsmiller, Julia) (Entered: 11/10/2018)

11/16/2018	<u>20</u>	REPLY SUGGESTIONS to motion re <u>13</u> MOTION to dismiss case <i>partially</i> filed by Jeffrey P. Ray on behalf of Defendant U.S. Department of Labor. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Related document(s) <u>13</u>) (Ray, Jeffrey) (Entered: 11/16/2018)
11/16/2018	<u>21</u>	REPLY SUGGESTIONS to motion re <u>15</u> MOTION for extension of time to file response reply as to <u>6</u> MOTION for partial summary judgment filed by Jeffrey P. Ray on behalf of Defendant U.S. Department of Labor. (Related document(s) <u>15</u>) (Ray, Jeffrey) (Entered: 11/16/2018)
12/04/2018	<u>22</u>	MOTION to expedite <u>26(f)</u> <i>Conference</i> filed by Jack Jordan. Suggestions in opposition/response due by 12/18/2018 unless otherwise directed by the court. (Attachments: # <u>1</u> Affidavit Declaration of J. Jordan)(Jordan, Jack) (Entered: 12/04/2018)
12/06/2018	<u>23</u>	MOTION for extension of time <i>to file proposed scheduling order/discovery plan</i> , MOTION for order re <u>15</u> MOTION for extension of time to file response(reply as to <u>6</u> MOTION for partial summary judgment filed by Jack Jordan. Suggestions in opposition/response due by 12/20/2018 unless otherwise directed by the court. (Attachments: # <u>1</u> Affidavit Declaration of J, Jordan 12/6/2018)(Related document(s) <u>15</u>) (Jordan, Jack) (Entered: 12/06/2018)
12/14/2018	<u>24</u>	ORDER granting <u>13</u> Defendant's motion to partially dismiss case.; granting <u>15</u> Defendant's motion for extension of time to file response to <u>6</u> Plaintiff's motion for summary judgment; withdrawing <u>22</u> Plaintiff's motion regarding Rule 26(f) conference; granting in part and denying in part <u>23</u> Plaintiff's motion to rule on Defendant's motion for extension of time and enlarge time to file proposed scheduling order. Defendant shall file its response to Plaintiff's motion for summary judgment by no later than December 24, 2018. The parties shall file their joint proposed scheduling order by no later than fourteen days after Defendant files its response to Plaintiff's motion for summary judgment. Signed on 12/14/2018 by District Judge Ortrie D. Smith.(Kitsmiller, Julia) (Entered: 12/14/2018)
12/19/2018	<u>25</u>	MOTION for extension of time to file response(reply as to <u>6</u> MOTION for partial summary judgment filed by Jeffrey P. Ray on behalf of U.S. Department of Labor. Suggestions in opposition/response due by 1/2/2019 unless otherwise directed by the court. (Related document(s) <u>6</u>) (Ray, Jeffrey) (Entered: 12/19/2018)
12/19/2018	<u>26</u>	SUGGESTIONS in opposition re <u>25</u> MOTION for extension of time to file response(reply as to <u>6</u> MOTION for partial summary judgment on behalf of Plaintiff Jack Jordan. Reply suggestions due by 1/2/2019 unless otherwise directed by the court. (Related document(s) <u>25</u>) (Jordan, Jack) (Entered: 12/19/2018)
12/28/2018	<u>27</u>	MOTION to amend/correct <u>24</u> Order on Motion to Dismiss Case,,, Order on Motion for Extension of Time to File Response/Reply,,, Order on Motion to Expedite,,,,,, Order on Motion for Miscellaneous Relief,,, filed by Jack Jordan. Suggestions in opposition/response due by 1/11/2019 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit List of Judge Contreras Citations re Inference, # <u>2</u> Exhibit List of Judge Smith Citations re Inference)(Related document(s) <u>24</u>) (Jordan, Jack) (Entered: 12/28/2018)
12/28/2018	<u>28</u>	MOTION to clarify <i>Judgment in separate document</i> filed by Jack Jordan. Suggestions in opposition/response due by 1/11/2019 unless otherwise directed by the court. (Jordan, Jack) (Entered: 12/28/2018)
01/02/2019	<u>29</u>	First MOTION to vacate <u>24</u> Order on Motion to Dismiss Case,,, Order on Motion for Extension of Time to File Response/Reply,,, Order on Motion to Expedite,,,,,, Order on Motion for Miscellaneous Relief,,, filed by Jack Jordan. Suggestions in opposition/response due by 1/16/2019 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit Declaration of R. Huber 8/15/2017)(Related document(s) <u>24</u>) (Jordan, Jack) (Entered: 01/02/2019)
01/04/2019	<u>30</u>	MOTION to compel <i>DOL to file FOIA-compliant copy of Powers' email</i> filed by Jack Jordan. Suggestions in opposition/response due by 1/18/2019 unless otherwise directed by the court. (Attachments: # <u>1</u> Affidavit Declaration of J, Jordan 1/4/2019)(Jordan, Jack) (Entered: 01/04/2019)

01/04/2019	<u>31</u>	ORDER granting <u>25</u> Defendant's motion for extension of time to file response to <u>6</u> Plaintiff's motion for partial summary judgment. Defendant's response shall be filed by no later than 1/11/2019 unless otherwise directed by the Court. Signed on 1/4/2019 by District Judge Ortrie D. Smith. (Kitsmiller, Julia) (Entered: 01/04/2019)
01/10/2019	<u>32</u>	MOTION for extension of time , MOTION for extension of time to file response/reply as to <u>28</u> MOTION to clarify <i>Judgment in separate document</i> , <u>29</u> First MOTION to vacate <u>24</u> Order on Motion to Dismiss Case,,, Order on Motion for Extension of Time to File Response/Reply,,, Order on Motion to Expedite,,,,,, Order on Motion for Miscellaneous Relief,,, , <u>30</u> MOTION to compel <i>DOL to file FOIA-compliant copy of Powers' email</i> , <u>6</u> MOTION for partial summary judgment , <u>27</u> MOTION to amend/correct <u>24</u> Order on Motion to Dismiss Case,,, Order on Motion for Extension of Time to File Response/Reply,,, Order on Motion to Expedite,,,,,, Order on Motion for Miscellaneous Relief,,, filed by Jeffrey P. Ray on behalf of U.S. Department of Labor. Suggestions in opposition/response due by 1/24/2019 unless otherwise directed by the court. (Related document(s) <u>28</u> , <u>29</u> , <u>30</u> , <u>6</u> , <u>27</u>) (Ray, Jeffrey) (Entered: 01/10/2019)
01/10/2019	<u>33</u>	SUGGESTIONS in opposition re <u>32</u> MOTION for extension of time MOTION for extension of time to file response/reply as to <u>28</u> MOTION to clarify <i>Judgment in separate document</i> , <u>29</u> First MOTION to vacate <u>24</u> Order on Motion to Dismiss Case,,, Order on Motion for Extension of Time to File Response/ on behalf of Plaintiff Jack Jordan. Reply suggestions due by 1/24/2019 unless otherwise directed by the court. (Related document(s) <u>32</u>) (Jordan, Jack) (Entered: 01/10/2019)
01/28/2019	<u>34</u>	ORDER granting <u>32</u> Defendant's motion for extensions of time, and overruling Plaintiff's objections to Defendants's motion for extensions of time. By no later than February 15, 2019, Defendant shall file its responses to <u>6</u> Plaintiff's Motion for Partial Summary Judgment; <u>27</u> Plaintiff's Motion for FRCP 60 Relief Regarding Treatment of Inferences and Credibility; <u>28</u> Plaintiff's Motion Regarding Judgment; <u>29</u> Plaintiff's First Motion for FRCP 60 Relief for Fraud, Misconduct and Misrepresentation by the Department of Labor and Department of Justice; and <u>30</u> Plaintiff's Motion to Order Defendant to Comply with FOIA. Signed on 1/28/2019 by District Judge Ortrie D. Smith. This is a TEXT ONLY ENTRY. No document is attached. (Kitsmiller, Julia) (Entered: 01/28/2019)
02/15/2019	<u>35</u>	Cross MOTION for summary judgment <i>and suggestions in opposition to plaintiff's motion for summary judgment [Doc. 6]</i> filed by Jeffrey P. Ray on behalf of U.S. Department of Labor. Suggestions in opposition/response due by 3/8/2019 unless otherwise directed by the court. (Attachments: # <u>1</u> Affidavit Declaration, # <u>2</u> Exhibit Attachment 1, # <u>3</u> Exhibit Attachment 2, # <u>4</u> Exhibit Attachment 3, # <u>5</u> Exhibit Attachment 4, # <u>6</u> Exhibit Attachment 5, # <u>7</u> Exhibit Attachment 6, # <u>8</u> Exhibit Attachment 7)(Ray, Jeffrey) (Entered: 02/15/2019)
02/15/2019	<u>36</u>	SUGGESTIONS in opposition re <u>28</u> MOTION to clarify <i>Judgment in separate document</i> , <u>29</u> First MOTION to vacate <u>24</u> Order on Motion to Dismiss Case,,, Order on Motion for Extension of Time to File Response/Reply,,, Order on Motion to Expedite,,,,,, Order on Motion for Miscellaneous Relief,,, , <u>30</u> MOTION to compel <i>DOL to file FOIA-compliant copy of Powers' email</i> , <u>27</u> MOTION to amend/correct <u>24</u> Order on Motion to Dismiss Case,,, Order on Motion for Extension of Time to File Response/Reply,,, Order on Motion to Expedite,,,,,, Order on Motion for Miscellaneous Relief,,, filed by Jeffrey P. Ray on behalf of Defendant U.S. Department of Labor. Reply suggestions due by 3/1/2019 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit A)(Related document(s) <u>28</u> , <u>29</u> , <u>30</u> , <u>27</u>) (Ray, Jeffrey) (Entered: 02/15/2019)
02/15/2019	<u>37</u>	MOTION to join <i>Ferissa Talley as a plaintiff</i> filed by Jack Jordan. Suggestions in opposition/response due by 3/1/2019 unless otherwise directed by the court. (Attachments: # <u>1</u> Affidavit Declaration of F. Talley 2/14/2019, # <u>2</u> Affidavit Declaration of J. Jordan 2/15/2019, # <u>3</u> Exhibit Ex. 1 Email from BRB Denying FOIA Request 2/4/2019, # <u>4</u> Exhibit Ex. 2 Email from Imbrie 8/28/2013, # <u>5</u> Exhibit Ex. 3 Emails from Cox to Begin, # <u>6</u> Exhibit Ex. 4 Huber memo to DOS 4/8/2014)(Jordan, Jack) (Entered: 02/15/2019)
02/15/2019		Set/Reset Deadlines as to <u>6</u> MOTION for partial summary judgment . Reply suggestions due by 3/1/2019 unless otherwise directed by the court. (Houston, Kiambu) (Entered: 02/19/2019)

02/20/2019	<u>38</u>	MOTION for extension of time to file response/reply as to <u>35</u> Cross MOTION for summary judgment <i>and suggestions in opposition to plaintiff's motion for summary judgment [Doc. 6]</i> , MOTION for leave to file excess pages filed by Jack Jordan. Suggestions in opposition/response due by 3/6/2019 unless otherwise directed by the court. (Related document(s) <u>35</u>) (Jordan, Jack) (Entered: 02/20/2019)
02/23/2019	<u>39</u>	REPLY SUGGESTIONS to motion re <u>30</u> MOTION to compel <i>DOL to file FOIA-compliant copy of Powers' email</i> on behalf of Plaintiff Jack Jordan. (Related document(s) <u>30</u>) (Jordan, Jack) (Entered: 02/23/2019)
02/23/2019	<u>40</u>	REPLY SUGGESTIONS to motion re <u>28</u> MOTION to clarify <i>Judgment in separate document</i> on behalf of Plaintiff Jack Jordan. (Related document(s) <u>28</u>) (Jordan, Jack) (Entered: 02/23/2019)
02/27/2019	<u>41</u>	REPLY SUGGESTIONS to <u>29</u> First MOTION to vacate <u>27</u> Motion to Amend <u>24</u> Order on Motion to Dismiss Case,,, Order on Motion for Extension of Time to File Response/Reply,,, Order on Motion to Expedite,,,,,, Order on Motion for Miscellaneous Relief,,, , <u>27</u> MOTION to amend/correct <u>24</u> Order on Motion to Dismiss Case,,, Order on Motion for Extension of Time to File Response/Reply,,, Order on Motion to Expedite,,,,,, Order on Motion for Miscellaneous Relief,,, on behalf of Plaintiff Jack Jordan. (Related document(s) <u>29</u> , <u>27</u>) (Jordan, Jack) Modified on 2/27/2019 to correct event (Crocker, Susan). (Entered: 02/27/2019)
02/27/2019	<u>42</u>	Joint MOTION for extension of time <i>to file Proposed Scheduling Order</i> filed by Jeffrey P. Ray on behalf of U.S. Department of Labor. Suggestions in opposition/response due by 3/13/2019 unless otherwise directed by the court. (Ray, Jeffrey) (Entered: 02/27/2019)
02/28/2019	<u>43</u>	ORDER granting <u>42</u> the parties' joint to extend the time to file a joint proposed scheduling. If necessary, the Court will issue a new deadline for the parties to file a joint proposed scheduling order once it has issued rulings on the currently pending motions. Signed on 2/28/2019 by District Judge Ortrie D. Smith. This is a TEXT ONLY ENTRY. No document is attached. (Kitsmiller, Julia) (Entered: 02/28/2019)
03/01/2019	<u>44</u>	SUGGESTIONS in opposition re <u>37</u> MOTION to join <i>Ferissa Tally as a plaintiff</i> filed by Jeffrey P. Ray on behalf of Defendant U.S. Department of Labor. Reply suggestions due by 3/15/2019 unless otherwise directed by the court. (Related document(s) <u>37</u>) (Ray, Jeffrey) (Entered: 03/01/2019)
03/04/2019	<u>45</u>	REPLY SUGGESTIONS to motion re <u>37</u> MOTION to join <i>Ferissa Tally as a plaintiff</i> on behalf of Plaintiff Jack Jordan. (Related document(s) <u>37</u>) (Jordan, Jack) (Entered: 03/04/2019)
03/04/2019	<u>46</u>	MOTION for leave to file <i>Reply & Opposition re Summary Judgment</i> filed by Jack Jordan. Suggestions in opposition/response due by 3/18/2019 unless otherwise directed by the court. (Attachments: # <u>1</u> Proposed Reply re: Plaintiff's Summary Judgment Motion and Opposition to DOL Cross Motion for Summary Judgment, # <u>2</u> Affidavit Declaration of Jack Jordan 3/4/2019)(Jordan, Jack) (Entered: 03/04/2019)
03/07/2019	<u>47</u>	ORDER granting (Doc. #38) Plaintiff's motion for additional time to file his reply to his motion for partial summary judgment (Doc. #6) and file his response to Defendant's motion for summary judgment (Doc. #35), and granting (Doc. #46) Plaintiff's motion for leave to exceed the pages limitations set forth by the Local Rules. Plaintiff shall electronically file his reply to his motion for partial summary judgment and his response to Defendant's motion for summary judgment by no later than March 8, 2019. The argument section of Plaintiff's brief, which incorporates both filings, shall not exceed 20 pages. Signed on 3/7/2019 by District Judge Ortrie D. Smith. This is a TEXT ONLY ENTRY. No document is attached. (Kitsmiller, Julia) (Entered: 03/07/2019)
03/07/2019	<u>48</u>	REPLY SUGGESTIONS to motion re <u>35</u> Cross MOTION for summary judgment <i>and suggestions in opposition to plaintiff's motion for summary judgment [Doc. 6]</i> , <u>6</u> MOTION for partial summary judgment on behalf of Plaintiff Jack Jordan. (Attachments: # <u>1</u> Affidavit Declaration of J, Jordan 3/4/2019)(Related document(s) <u>35</u> , <u>6</u>) (Jordan, Jack) (Entered: 03/07/2019)
03/07/2019		Set/Reset Deadlines as to <u>35</u> Cross MOTION for summary judgment . Reply suggestions due by 3/21/2019 unless otherwise directed by the court. (Houston,

Kiambu) (Entered: 03/08/2019)